IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Bail Appl..No. 3430 of 2007()

CMP.2401/2007 of J.M.F.C.,KASARAGOD
C.R.NO.3/07 OF BANDADUKA EXCISE RANGE

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: PETITIONER/1ST ACCUSED

K.SURESH, S/O. KRISHNAN NAIR,
CHOORITHODE, BANDADUKA VILLAGE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT & STATE

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1. THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, BANDADUKA.

2. STATE, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3430 OF 2007

Dated this the 8th day of June, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 1st accused in C.R. No.3/2007 of Bandaduka Excise Range for an offence punishable under Sec.55(a) of the Abkari Act for having been found in possession of 60 liters of illicit arrack on 25.5.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the grounds enumerated under Sec. 41A(b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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